

# Notice of Allowability

Application No.

10/773,306

Examiner

Charlie C. Agwumezie

Applicant(s)

STEFIK ET AL.

Art Unit

3621

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed 01/23/07.
2. ☒ The allowed claim(s) is/are 61-75,77,78,184-198 and 200-203.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 6/16/05 and 10/14/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Charlie C.L. Agwumezie  
Patent Examiner  
Art Unit 3621

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on January 23, 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent No. **6,944,600** has been reviewed and is accepted. The terminal disclaimer has been recorded.

## **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carlos Villamar on May 22, 2007.

### **Status of Claims**

3. Claims 1-60, 76, 79-183 and 199 are cancelled. Claims 61 and 184 are amended. Claims 61-75, 77-78, 184-198 and 200-203 are allowed subject to the examiner's amendment.

4. The Application has been amended as follows:

Art Unit: 3621

61. (Currently amended) An apparatus for rendering digital content in accordance with rights that are enforced by the apparatus, said apparatus comprising:

a rendering engine configured to render digital content;

a storage for storing the digital content;

means for requesting use of the digital content stored in the storage; and

a repository coupled to the rendering engine,

wherein the repository includes:

means for processing a request from the means for requesting,

means for checking whether the request is for a permitted rendering of the digital content in accordance with rights specified in the apparatus, [[and]]

means for processing the request to make the digital content available to the rendering engine for rendering [[if]] when the request is for a permitted rendering of the digital content; and

means for authorizing the repository for making the digital content available for rendering, wherein the digital content can be made available for rendering only by an authorized repository, the repository comprising:

means for making a request for an authorization object required to be included within the repository for the apparatus to render the digital content; and

means for receiving the authorization object when it is determined that the request should be granted.

184. (Currently amended) A method for controlling rendering of digital content on an apparatus having a rendering engine configured to render digital content and a storage for storing the digital content, said method comprising:

specifying rights within said apparatus for digital content stored in said storage, said rights specifying how digital content can be rendered;

storing digital content in said storage;

receiving a request for rendering of said digital content stored in the storage;

checking whether said request is for a permitted rendering of said digital content in accordance with said rights specified within said apparatus; [[and]]

processing the request to make said digital content available to the rendering engine for rendering [[if]] when said request is for a permitted rendering of said digital content;

authorizing a repository for making the digital content available for rendering, wherein the digital content can be made available for rendering only by an authorized repository, the repository performing the steps of:

making a request for an authorization object required to be included within the repository for rendering of the digital content; and

receiving the authorization object when it is determined that the request should be granted.

5. Claims 61-75, 77-78, 184-198 and 200-203 are allowed.

### **Reasons for Allowance**

6. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Perritt "Knowbots, Permissions Headers and Contract Law" (30 April 1993).

Applicant's invention discloses an apparatus for rendering digital content in accordance with rights that are enforced by the apparatus, said apparatus comprising: a rendering engine configured to render digital content; a storage for storing the digital content; means for requesting use of the digital content stored in the storage; and a repository coupled to the rendering engine, wherein the repository includes: means for

Art Unit: 3621

processing a request from the means for requesting, means for checking whether the request is for a permitted rendering of the digital content in accordance with rights specified in the apparatus, means for processing the request to make the digital content available to the rendering engine for rendering when the request is for a permitted rendering of the digital content; and means for authorizing the repository for making the digital content available for rendering, wherein the digital content can be made available for rendering only by an authorized repository, the repository comprising: means for making a request for an authorization object required to be included within the repository for the apparatus to render the digital content; and means for receiving the authorization object when it is determined that the request should be granted.

Perritt is directed to a digital library system, wherein permissions header (PH) is attached to a work (W) and a request message (RM) from a user is matched against the permissions header. If there is a match between the request message and the permissions header, access to the work is granted and the work is sent to the user. If, however, there is no match between the request message and the permissions header, access to the work is not granted and the work is not sent to the user. Accordingly, Perritt separately or in combination with any other reference of record fails to disclose or suggest all the elements of the claimed invention. Perritt fails to disclose, teach, or suggest the novel feature related to the rendering of content, as recited in independent claims 61 and 184. Specifically Perritt fails to disclose means for processing the request to make the digital content available to the rendering engine for rendering when the request is for a permitted rendering of the digital content; and means for authorizing the

Art Unit: 3621

repository for making the digital content available for rendering, wherein the digital content can be made available for rendering only by an authorized repository, the repository comprising: means for making a request for an authorization object required to be included within the repository for the apparatus to render the digital content; and means for receiving the authorization object when it is determined that the request should be granted. Thus the claims of the present invention are patentable over the prior art of record.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

8. The prior arts made of record and not relied upon is considered pertinent to applicants disclosure.

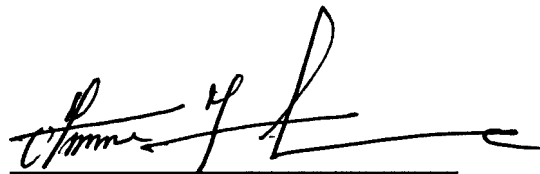
- Faber (U.S. Patent 4,891,838) discloses Computer Accessing System.
- Lipscomb et al (U.S. Patent No. 5,473,687) discloses Method for Retrieving Secure Information from a database.
- Ginter et al (U.S. Patent No. 5,917,912) discloses System and Method for Secure Transaction management and Electronic Rights Protection.

Art Unit: 3621

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Andrew Fischer** can be reached on **(571) 272 – 6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Charlie Lion Agwumezie', written over a horizontal line.

**Charlie Lion Agwumezie**  
**Patent Examiner**  
**Art Unit 3621**

**Acc**  
**May 22, 2007**